

**DESCRIPTION AND JUSTIFICATION**  
**TXU COMMUNICATIONS COMPANIES (TXUCC)**  
**Comprised of: Ft Bend Telephone Company (FBTC) and**  
**TXU Communications Telephone Company (TXUC)**

**Transmittal No. 1, January 23, 2004**

**Description**

This filing consolidates the 2 access tariffs and 1 special construction tariff of the TXU Communications Companies (TXUCC) into a single consolidated interstate access tariff: TXUCC Tariff FCC No. 1. The 3 tariffs included in this consolidation are:

- (1) TXU Communications Telephone Company (TXUC) Tariff FCC No. 1, which forms the base tariff for the new tariff,
- (2) Ft Bend Telephone Company (FBTC) is currently an issuing carrier of John Staurulakis, Inc. (JSI) Tariff FCC No. 1; applicable provisions will be copied into the consolidated tariff; Section 17 rates for FBTC will be included in Section 18 of the new tariff, and
- (3) TXUC Tariff FCC No. 2, Special Construction, which will become Section 19 of the new tariff with only formatting changes to make it a part of the new tariff

The filing is made, in accordance with Special Permission No. 04 - 004 on fifteen days notice pursuant to Section 204(a)(3) of the Communications Act of 1934, as amended, with an effective date for TXUCC Tariff FCC No. 1 of February 7, 2004. On February 7, 2004, TXUC Tariff FCC No. 1 and TXUC Tariff FCC No. 2 will be canceled (see attached Supplements). Also on that date, FBTC's participation in JSI's Tariff FCC No. 2 will cease and any necessary and applicable provisions will be brought into TXUCC Tariff FCC No. 1 (i.e. DS3 which is tariffed for FBTC, but offered on an ICB basis for TXUC).

(Note: under separate Transmittal and Tariff change, FBTC's status as an issuing carrier of the JSI tariff will be ended, concurrently with the effective date of the new consolidated TXUCC Tariff FCC No. 1, which will include both TXUC and FBTC as carriers.)

There are no rate changes involved in this filing. There are also no material verbiage changes (typographical errors noted were corrected). Certain language in JSI Tariff FCC No. 1 or NECA Tariff FCC No. 5 was added, with no change in the provisions, to the TXUC Tariff to create the consolidated document (e.g. DS3 descriptions and regulations) and certain sections were clarified with minor language changes as noted below.

TXU Communications Telephone Company concurs in Section 3 of NECA Tariff FCC No. 5. NECA has made changes in its Section 3 to reflect the elimination of the Carrier Common Line Charge (CCL). As a result, the title of TXUCC's Section 3 has been altered to reflect the changes in NECA Access Tariff No. 5, from TXUC's "Carrier Common Line Access Service" to add the two new/additional categories in NECA's Tariff FCC No. 5. The new title of Section 3 thus becomes: "Carrier Common Line Access Service, Federal Universal Service Charge, and ISDN Line Ports." Although the Carrier Common Line Charge has been eliminated as of July 2003, the provisions are being retained to minimize the changes to the Tariff. Section 3 has been reformatted slightly for clarification to separate the provisions for Carrier Common Line Service, Universal Service, and ISDN Line Ports. In Sections 17.1 and 18.1, Federal Universal Service

Charge and ISDN Line Ports, were added, both concurring in Section 17 of NECA Tariff F.C.C. No. 5. There are no changes in the regulations, rates or charges for any of these services. This is done for clarification only.

As stated above, no material verbiage changes and no rate changes of any kind are being made in this tariff filing. A summary of the changes being made follows:

1. TXUC Tariff: Sec 3 & 17 changed from carrier common line, which has been eliminated, to Federal Universal Service charge & ISDN Line Ports, adopting NECA FCC5 provisions.
2. JSI Tariff: Sec 3 & 17/18 changed from carrier common line, which has been eliminated, to Federal Universal Service charge & ISDN Line Ports, adopting NECA FCC5 provisions.
3. JSI Tariff: Sec 17/18.3.1 – provision and rate for Special Access Surcharge were changed to refer to NECA5, adopting TXUC’s provision.
4. JSI Tariff: Promotions to waive the NRC, in paragraph 18.4.8(A)(3) on JSI page 597.1-597.1.1 were deleted since the NRC was eliminated in Transmittal No. 90 and the promotions are now obsolete.
5. Consistent with the regulations, 17.2.1(F) (18.2.1(E) in the new tariff), “Local Transport Installation per line or trunk”, is being deleted as an obsolete charge. No customers are being billed for the service and NECA has already deleted the charge. The paragraph becomes Reserved for Future Use.
6. First paragraph of Section 1.1 was updated to NECA FCC5’s list of services provided.
7. Second paragraph of Section 1.1 was deleted since it no longer applies -- the references are obsolete.
8. Paragraph 4.3 – adopted NECA FCC5 verbiage on Lifeline Service.
9. TXUC Tariff FCC2: Special Construction Tariff canceled and included as Section 19 of new tariff
10. JSI Tariff: Changed \*\* note for Blocking Service (18.4.4(K)) to eliminate reference to obsolete time period.
11. JSI and TXUC Tariffs: Flexible ANI rate expired in 2001. Changed rates in TXUC (17.2.1(5{E})) and FBTC (18.4.4(O)) to list rate as “none”, as the Companies are charging now and following the provisions in NECA FCC5. Descriptions remain as in prior tariffs.
12. TXUC Tariff: Promotions to waive the NRC, in paragraph 17.4.7.2. A.1. on TXUC page 17-22 – 17.22.1 were deleted since the NRC was eliminated in Transmittal No. 18 and the promotions are no longer relevant.
13. TXUC Tariff, Paragraph 17.4.4(G) and Section 13.3.3-- changed Restoration Priority to Telecommunications Service Priority (TSP), matching NECA & changed description in Section 13 to match NECA FCC5’s description of TSP.
14. JSI Tariff: Section 18.4.4(G) – changed Restoration Priority to TSP (per NECA FCC5)
15. Notes (1) and (2) on page 17-2 were deleted since they are now obsolete.
16. Section 17.2.2(H) – updated title in new tariff to match JSI and NECA verbiage (“Toll Free SAC” replaced by “800”); replaced description in Section 6.4.1(C)(7) with NECA5 / JSI verbiage for 800 Data Base Query.

17. TXUC Tariff: Paragraph 17.4.4(J) – Deleted rate for Unauthorized PIC Change since it is an obsolete charge. Deleted description in Section 13.6.
18. JSI Tariff: deleted references to Channel Service Units (17.3.7(D) / 18.3.7(D)) and Network Channel Terminating Equipment (17.3.8(E) / 18.3.8(E)) since they have not been offered since 1983 and neither TXUC nor FBTC is billing for either of the services.
19. Changed the name of section 17.1 and 18.1 in the new tariff to “End User Access Service, Federal Universal Service Charge and ISDN Line Ports” to reflect the changes in the section contents (elimination of carrier common line charge).
20. Section 2 definitions – term Toll Free Service Access Code (SAC) was expanded to also use the term 800 service to match Section 17; added Frame Relay definitions and several definitions from the JSI Tariff.
21. Grammatical changes to reflect new Section 19 rates for FBTC, including tariff references and verbiage so that the paragraphs make sense.
22. Section 7.7.4 of new tariff: added High Capacity Optional Rate Plan for FBTC from the JSI Tariff (Time Period only, FBTC does not offer a capacity discount).
23. Deleted obsolete references to metallic service, telegraph service, and Special Federal Government Access Services.
24. TXUCC Tariff: Section 13.3.7 Added to cover 900 Blocking Service provided by FBTC; verbiage from JSI Tariff.
25. Billing Number and Address (BNA) Service – adopted NECA FCC5/JSI verbiage in Section 13.3.4.
26. JSI Tariff, Section 18.2.2(D)(3) – deleted unused/obsolete NRC rate (\$0.00)
27. Throughout the new tariff, rate references to Section 17 (TXUC rates) were expanded to include Section 18 (FBTC rates).
28. TXU Tariff, Section 5.1.2 and other places – changed Special Construction references to Section 19 instead of FCC Tariff.
29. Added DS3 description and minimum time periods from JSI tariff to sections 6.1.3(A)(1) and 6.1.3(A)(2).
30. TXUC Section 6.1.3(A)(4) – Deleted reference to Residual Interconnection Charge (RIC - already removed from JSI & NECA FCC5); the description in 6.1.3(A)(4) was also deleted.
31. TXUCC Tariff – Added Section 7.2.8 from JSI tariff to describe Term Discount plan
32. Section 7 – added JSI references for DS3, Frame Relay, and DSL services.
33. Section 7.4.3(C) – added Customer Specified Premises Receive Level for FBT
34. Section 15 – added DS3/Interface Group 9 references since FBTC offers a tariffed DS3 service; added interface references throughout section.
35. Section 2 definitions – added definitions for Frame relay services
36. Updated technical references in preliminary section of tariff

**Justification**

This tariff consolidation will reduce the review time of TXUC and FBTC's tariffs by the FCC and significantly reduce the tariff maintenance and administration expense by TXUC and FBTC personnel. Two tariffs will be canceled and company participation in a third will be curtailed to result in one new consolidated tariff.

Since there are no rate changes involved in this filing, there will be no impact on any customer and no notice is required. Additionally, no material verbiage changes were introduced – the language from the original TXUC tariff was retained, with certain additions from the JSI tariff and NECA Tariff FCC No. 5, where services unique to FBTC were concerned.